

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KISON PATEL,)	Case No. 15-C-8174
individually and on behalf of)	
a class of similarly situated people,)	Hon. John Z. Lee
)	
Plaintiff,)	
)	
)	
v.)	
)	
AT&T SERVICES, INC. and ILLINOIS)	
BELL TELEPHONE COMPANY,)	
)	
Defendants.)	

**JOINT MOTION FOR PRELIMINARY APPROVAL OF REVISED NOTICE
PROCEDURES**

Plaintiff Kison Patel, individually and on behalf of the settlement class (“Patel”) and Defendants AT&T Services Inc. and Illinois Bell Telephone Company (collectively “AT&T” or the “Defendants”) hereby move the Court for an order preliminarily approving modified notice procedures for their class-wide settlement, and in support of that motion state as follows:

1. On October 11, 2016, the Court granted preliminary approval to the proposed class-wide settlement. Dkt. # 47.

2. As part of the order granting preliminary approval, and consistent with the parties’ Settlement Agreement,¹ the Court ordered Patel to issue subpoenas to Verizon Wireless, T-Mobile, Sprint, and U.S. Cellular (the “Carriers”). These subpoenas requested information that would allow the parties to match the telephone numbers of the putative class members with actual names and addresses. *Id.* at ¶ 12. Within 30 days of receiving responses to those subpoenas, the Settlement Administrator was ordered to provide written notice based on the

¹ The capitalized terms in this joint motion have the same meaning as in the parties’ Settlement Agreement, unless otherwise defined.

information received from the Carriers. *Id.* If the Carriers did not locate responsive information for a number during their search conducted in response to the subpoenas, the Court ordered the Settlement Administrator to perform a reverse look-up to identify relevant names and addresses. *Id.*

3. During the subpoena process, Verizon and T-Mobile both objected to providing the Settlement Administrator with the names and addresses of customers located in California, Delaware, and Pennsylvania, due to concerns regarding compliance with state privacy and data protection laws.

4. The parties negotiated an agreement with Verizon and T-Mobile to resolve these objections. Under the new stipulated process, the Settlement Administrator will provide copies of the Notice and Claim Form to Verizon and T-Mobile. Verizon and T-Mobile will then mail the documents to their customers in California, Delaware and Pennsylvania,² without providing the names and addresses to the Settlement Administrator or the Parties. Thus, the substance of the Notice received by the class members has not changed, but the person mailing the Notice has.

5. Magistrate Kim approved stipulations regarding this procedure to resolve a motion to compel filed on the subpoenas as to Verizon and T-Mobile. *See* Dkt. # 68, 69, and 81.

6. The parties thereby request that the Court enter an order preliminarily approving this modification of the Notice procedures that were previously preliminarily approved by the Court and preliminarily finding that the revised Notice procedure still constitutes the best notice practicable given the facts of this case.

RESPECTFULLY SUBMITTED this 4th day of May, 2017.

² Verizon and T-Mobile will provide contact information for customers in all other states.

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CERTIFICATE OF SERVICE

I, Kyle J. Steinmetz, an attorney, hereby certify that on May 4, 2017, I electronically filed the foregoing using the CM/ECF system, which will send notification of the filing to all counsel of record who are registered on the CM/ECF system.

/s/ Kyle J. Steinmetz
